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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE DISTRICT OF OREGON

16 JAMES MCMAUGH,

O R D E R
Civ. No. 11-269-TC

17 Plaintiff,

18 vs.

19 MICHAEL J. ASTRUE, Commissioner
20 Social Security Administration,

21 Defendant.
22

AIKEN, Chief Judge:

23 Magistrate Judge Coffin filed his Findings and
24 Recommendation on December 30, 2011. The matter is now before me
25 pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).
26 When a party objects to any portion of the Magistrate's Findings
27 and Recommendation, the district court must make a de novo
28

1 determination of that portion of the Magistrate's report. 28
2 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore
3 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert.
4 denied, 455 U.S. 920 (1982).

5 Defendant has timely filed objections (doc. 18) to the
6 Magistrate's Findings and Recommendation. I have, therefore,
7 given those portions of the report a de novo review. I agree with
8 Magistrate Judge Coffin's analysis and conclusion and therefore
9 ADOPT the Magistrate's Findings and Recommendation (doc. 16) in
10 its entirety. In conclusion, the Administrative Law Judge's
11 ("ALJ") decision is reversed and remanded for further proceedings.
12 Specifically, the ALJ should reevaluate plaintiff's credibility
13 in a manner consistent with Ninth Circuit case law and 20 C.F.R.
14 § 404.1545(a)(3); SSR 96-8p and reevaluate the limitations
15 assessed by vocational expert, Ms. Votaw, Dr. Frank and Dr.
16 Kehlri along with the relevant medical evidence.

17 IT IS SO ORDERED.

18 Dated this 8th day of February 2012.

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22 Ann Aiken
23 United States District Judge
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